

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RIVKA MANDEL,

Plaintiff,

— vs —

JACOB DASKAL; BELLA DASKAL; PEARL
DEMBITZER; LEIBY DEMBITZER; CHAYA
BORNSTEIN; SHULEM BORNSTEIN; CHAIM
DASKAL; ESTHER BRODY; ROSE
TEITELBAUM; BENZION DASKAL;
SOLOMON DASKAL; BARRY DASKAL;
CHAVI FISCHBEIN; ISAAC FISCHBEIN; BORO
PARK SHOMRIM; BAIS YAAKOV HIGH
SCHOOL OF CHICAGO; CRAINDELL Z.
MANNES; RABBI BEN ZION HALBERSTAM;
CHAIM S. HALBERTSAM; CONGREGATION
SHAAREI ZION OF BOBOV; RABBINICAL
COLLEGE BOBOVER YESHIVA BNEI ZION;
LIPA “NUSSY” BRAUNER; MUTTY
BRAUNER; YAD EPHRAIM a/k/a EZRAS
CHOLIM YAD EPHRAIM; PESACH
GREENBERG; YACHAD D’BOBOV; and
CHAIM FLEISCHER,

Defendants.
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1:23-cv-07352 (RER) (VMS)

ORAL ARGUMENT REQUESTED

Hon. Ramon E. Reyes, Jr.

NOTICE OF MOTION TO DISMISS PLAINTIFF’S AMENDED COMPLAINT

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and upon all prior papers, pleadings and proceedings in this action, Defendants Congregation Shaarei Zion of Bobov, Rabbinical College Bobover Yeshiva Bnei Zion, Yad Ephraim, Pesach Greenberg, Yachad D’Bobov, and Chaim Fleischer (collectively, the “Congregation Defendants”), by their undersigned attorneys, Cohen & Gresser LLP, will move this Court before the Honorable Ramon E. Reyes, Jr., at the United States District Court for the Eastern District of New York, on a date and time to be determined by the Court or as soon thereafter as counsel can be heard, for an order

pursuant to Fed. R. Civ. P. 12(b)(6) granting (i) dismissal of the Amended Complaint with prejudice, and (ii) such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's order on April 4, 2024, answering papers, if any, must be served by June 28, 2024, and reply papers, if any, must be served by July 26, 2024.

Dated: May 24, 2024
New York, New York

Respectfully submitted,

COHEN & GRESSER LLP

/s/ Mark S. Cohen

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Bobover Yeshiva Bnei Zion, Yad Ephraim,
Pesach Greenberg, Yachad D'Bobov, and
Chaim Fleischer*